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STATEMENT OF ENVIRONMENTAL EFFECTS

Date: 20 March 2024

Reference No. 58OAE

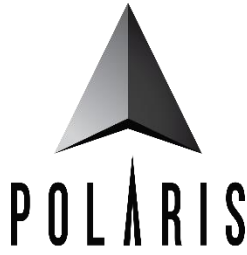
Revision No. A

Subject Site:
58 Osroy Avenue, Earlwood

Prepared on behalf of:
AG Projects

Proposal:
Alterations and additions to dual occupancy (attached)





PLANNING & DEVELOPMENT

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1. EXECUTIVE SUMMARY

This Statement of Environmental Effects has been commissioned on behalf of AG Projects and serves as an integral component of the Development Application submitted to Canterbury Bankstown Council (“Council”) seeking development consent for alterations and additions to a dual occupancy (attached) on land at 58 Osroy Avenue, Earlwood.

The purpose of this report is to provide comprehensive support for the application seeking development consent and should be read in conjunction with all associated documentation submitted with the development application.

The proposed is development requiring development consent pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979*. This statement is made in accordance prescribed application requirements as outlined by the Planning Secretary on the NSW Planning Portal and serves as a fundamental component of the application submitted to Council.

The application has been prepared in accordance with Part 3 of the *Environmental Planning and Assessment Regulation 2021* and this statement serves as a fundamental component of the application submitted to Council. This statement provides a comprehensive analysis within the framework of the *Environmental Planning and Assessment Act 1979*. The structure of this statement encompasses the following key components:

- **Site and context:** Details and examination of the site and its surrounding context.
- **Proposal details:** Detailed information regarding the proposed development.
- **Consideration of the relevant statutory provisions:** Provide an analysis of relevant statutory provisions applicable to the development.
- **Consideration of impacts:** Assist the consent authority in identifying any associated environmental impacts which could potentially arise from the development and address how those impacts are mitigated and/or achieve the objects of the relevant standard(s).
- **Recommendation:** Provide a recommendation for the proposed development to assist the consent authority in their determination of the application.

The development in our opinion represents an acceptable form of development that satisfies the intended objectives of the zone that is in harmony with the surrounding built and natural environment.

The proposed neither is considered to unduly result in significant adverse material, environmental, social or economic impacts and is considered is suitable for the site. The proposed is not considered to raise any issues which would be contrary to the public interest and finally, it is recommended that a favourable determination be sought by Council.



2. SITE DETAILS

2.1 Site Identification

The subject site is located along the northern side of Osroy Avenue and is legally described as Lot Y, in DP 414396 commonly known as 58 Osroy Avenue, Earlwood.

2.2 Site Dimensions

The subject site has an area of 613.4m² (by title), is rectangular in shape and characterised as a standard lot. The subject site has a frontage of 15.97 metres to Osroy Avenue, depths of 38.741 metres along the eastern and western boundaries and a width of 15.97 metres at the northern rear boundary.

2.3 Existing Development

The existing use on the subject site is a dual occupancy (attached) with ancillary structures such as swimming pools.

2.4 Topography

The site has a sloping topography of 6.15 metres falling from the southwestern corner (RL 39.40) to the rear northern boundary of the site (RL 33.25).

2.5 Zoning and Surrounding Development

The subject site is located within an R2 Low Density Residential zone under Canterbury Bankstown Local Environmental Plan 2023 and is surrounded by a mix of residential developments each diverse in age, scale, intensity and architectural style within a domesticated landscaped setting.

2.6 Identified Site Constraints

A desk top review notes that the subject site is identified on the Acid Sulfate Soils Map (Class 5).



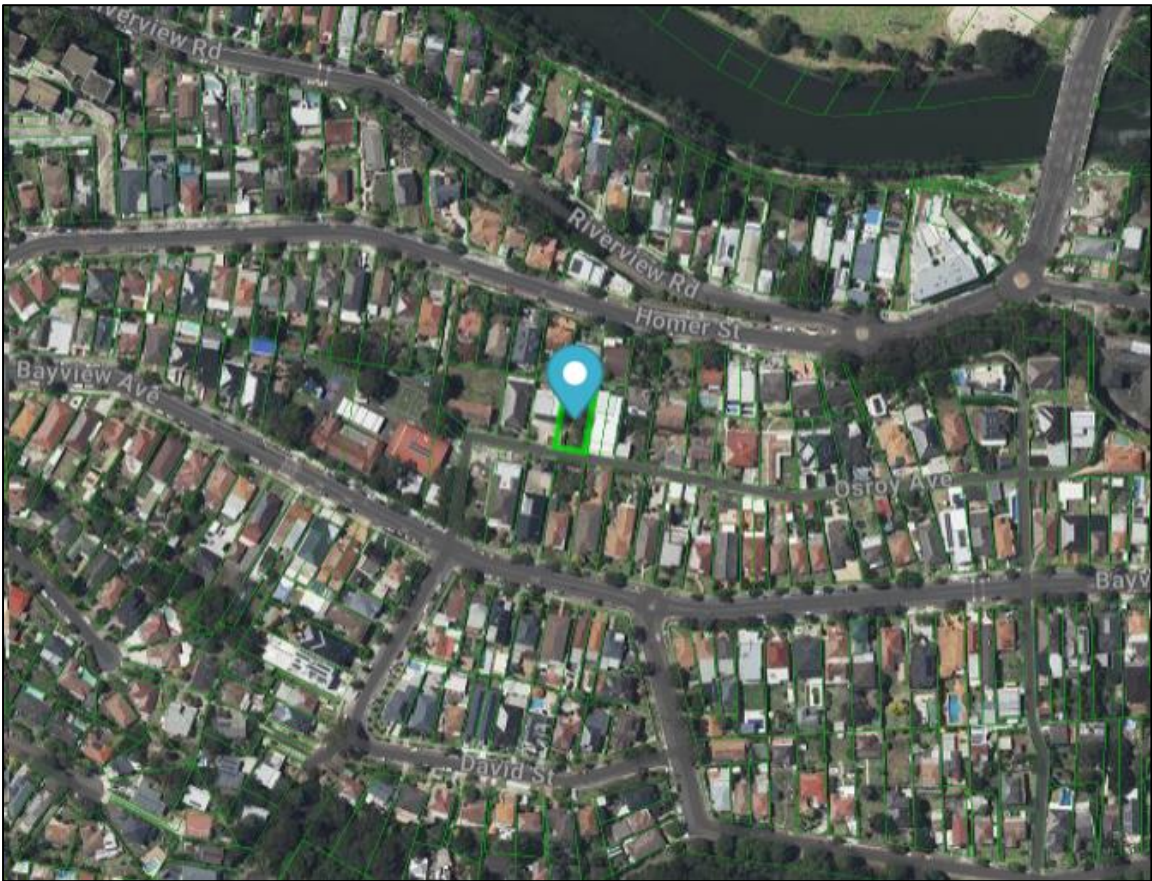


Figure 1: Aerial Photograph of Subject Site (Source: Mecone Mosaic).

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3. THE PROPOSAL

The proposal seeks Council’s Consent for alterations and additions to a dual occupancy (attached). The alterations and additions encompass the provision of two (2) carports, side pathways and first floor balconies. Details of the development as are identified below.

3.1 Carports

The additions propose two (2) carports with an area of 45.7m² and is forward of the building line. The intention for the carports is to provide additional opportunities for off-street parking for both dwellings as Osroy Avenue is narrow and provides limited space for on-street parking. The erection of the carports requires additional hard stand in the front setback, however landscaping has been offset with landscaped buffers along the front and side boundaries.

3.2 Side Stairs and Pathways

Side steps and pathways are proposed along the eastern and western boundaries to replace landscaped area. The purpose of the steps and pathways is to provide occupants with enhanced access from the front of the site to the rear.

3.3 First Floor Balconies

Two (2) balconies are proposed for each dwelling accessed via the first floor with an area of 16.3m². The balconies are provided over existing concrete roofs with privacy screens proposed along each edge.

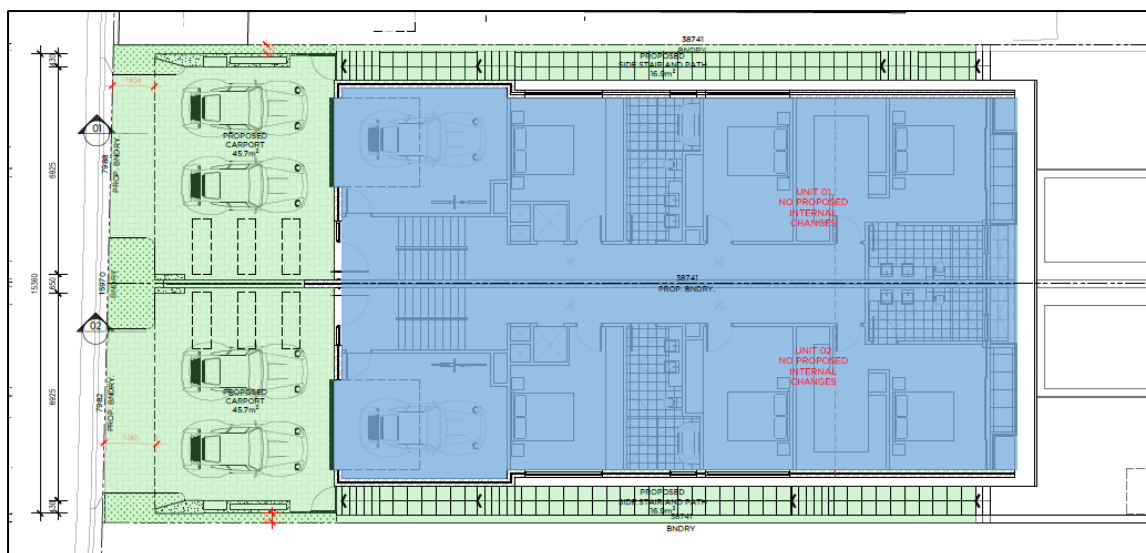


Figure 2: Proposed carports and side pathways (Source: Architectural Plans prepared by AG Projects).



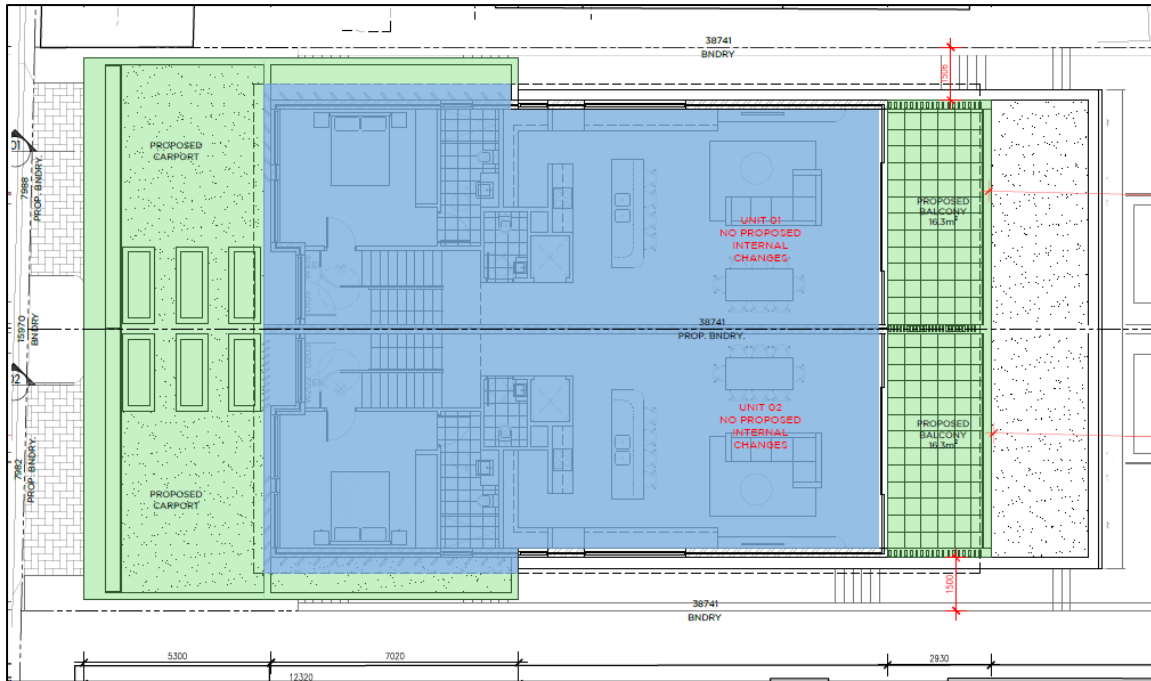


Figure 3: Carport roofs and balconies (Source: Architectural Plans prepared by AG Projects).

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4. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A Act)

4.1 Meaning of Development (Section 1.5)

Section 1.5 of the EP&A Act defines development as use of land, subdivision, erection of a building, carrying out of work, demolition or any other act controlled by an environmental planning instrument. The proposed development seeks to carry out works ancillary to a dual occupancy (attached). The proposed falls within the definition of development as defined under the Act.

4.2 Application of other Acts (Section 1.7)

This section relates to how this Act interacts with the terrestrial and aquatic environments as governed by the *Biodiversity Conservation Act 2016* and *Fisheries Management Act 1994*. The following table below provides detail of the Acts and the developments applicability to being subject of those Acts.

Act	Part	Application
Biodiversity Conservation Act 2016	Part 7	Not applicable. The proposal does not impact on any critical terrestrial habitat, species, flora or fauna with biodiversity significance.
Fisheries Management Act 1994	Part 7A	Not applicable. The proposal does not impact on any critical aquatic habitat or species with aquatic biological significance.

5. STATE ENVIRONMENTAL PLANNING INSTRUMENTS - Section 4.15(a)(i)

Below is a table listing the State Environmental Planning Policies (SEPPs) currently in force to allow for a clear determination of the policies chapters applicability to the subject proposal. Following the table, a discussion is also provided on the SEPPs and chapters that are pertinent to the subject development.

State Environmental Planning Policy (Planning Systems) 2021	
Chapter 2 State and regional development	Not applicable
Chapter 3 Aboriginal land	Not applicable
Chapter 4 Concurrences and consents	Not applicable
State Environmental Planning Policy (Biodiversity and Conservation) 2021	
Chapter 2 Vegetation in non-rural areas	Applies
Chapter 3 Koala habitat protection 2020	Not applicable
Chapter 4 Koala habitat protection 2021	Not applicable
Chapter 5 River Murray lands	Not applicable
Chapter 6 Water catchments	Not applicable
Chapters 7–12	Repealed.
Chapter 13 Strategic conservation planning	Not applicable
State Environmental Planning Policy (Sustainable Buildings) 2022	
Chapter 2 Standards for residential development—BASIX	Not applicable
Chapter 3 Standards for non-residential development	Not applicable
State Environmental Planning Policy (Housing) 2021 (Housing SEPP)	
Chapter 2 Affordable housing	Not applicable
Chapter 3 Diverse housing	Not applicable



Chapter 4 Design of residential apartment development	Not applicable
State Environmental Planning Policy (Industry and Employment) 2021	
Chapter 2 Western Sydney employment area	Not applicable
Chapter 3 Advertising and signage	Not applicable
State Environmental Planning Policy (Transport and Infrastructure) 2021	
Chapter 2 Infrastructure	Not applicable
Chapter 3 Educational establishments and child care facilities	Not applicable
Chapter 4 Major infrastructure corridors	Not applicable
Chapter 5 Three ports—Port Botany, Port Kembla and Port of Newcastle	Not applicable
Chapter 6 Moorebank Freight Intermodal Precinct	Not applicable
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	
Chapter 2 State significant precincts	Not applicable
Chapter 3 Darling Harbour	Not applicable
Chapter 4 City West	Not applicable
Chapter 5 Walsh Bay	Not applicable
Chapter 6 Cooks Cove	Not applicable
Chapter 7 Moore Park Showground	Not applicable
State Environmental Planning Policy (Precincts—Central River City) 2021	
Chapter 2 State significant precincts	Not applicable
Chapter 3 Sydney region growth centres	Not applicable
Chapter 4 Homebush Bay area	Not applicable
Chapter 5 Kurnell Peninsula	Not applicable
Chapter 6 Urban renewal precincts	Not applicable
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	
Chapter 2 State significant precincts	Not applicable
Chapter 3 Sydney region growth centres	Not applicable
Chapter 4 Western Sydney Aerotropolis	Not applicable
Chapter 5 Penrith Lakes Scheme	Not applicable
Chapter 6 St Marys	Not applicable
Chapter 7 Western Sydney Parklands	Not applicable
State Environmental Planning Policy (Precincts-Regional) 2021	
Chapter 2 State significant precincts	Not applicable
Chapter 3 Activation Precincts	Not applicable
Chapter 4 Kosciuszko Alpine Region	Not applicable
Chapter 5 Gosford city centre	Not applicable
State Environmental Planning Policy (Resilience and Hazards) 2021	
Chapter 2 Coastal management	Not applicable
Chapter 3 Hazardous and offensive development	Not applicable
Chapter 4 Remediation of land	Applies
State Environmental Planning Policy (Resources and Energy) 2021	
Chapter 2 Mining, petroleum production and extractive industries	Not applicable
Chapter 3 Extractive industries in Sydney area	Not applicable
State Environmental Planning Policy (Primary Production) 2021	
Chapter 2 Primary production and rural development	Not applicable
Chapter 3 Central Coast plateau areas	Not applicable



5.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 - Vegetation in non-rural areas

Chapter 2 aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. This Chapter applies to the City of Canterbury Bankstown Council and on land zoned R2 Low Density Residential. The proposal does not require the removal of any tree species and does not unduly impact upon any species with biodiversity value on the site. The proposal is consistent with the provisions of Chapter 2.

5.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 - Remediation of land

Chapter 4 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment through:

- Specifying when consent is required, and when it is not required, for a remediation work.
- Specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and
- Requiring that a remediation work meet certain standards and notification requirements.

Pursuant to Clause 4.6 Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

The subject site is zoned R2 Low Density Residential and has been historically used for residential purposes. The proposed is neither carried out on land to which is referred to in Table 1 of the Contaminated Land Planning Guidelines as being or is known to have been land subject of contamination or within close proximity to any known contaminated land. As such, there is nothing to indicate that the site would be affected by soil contamination.



6. LOCAL PLANNING INSTRUMENTS – CANTERBURY BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023 (CBLEP 2023) – Section 4.15(1)(a)(i)

CBLEP 2023 is the relevant Local Environmental Planning Instrument applicable to the subject site. The following below provides commentary of the relevant Parts, Development Standards and/or Controls contained within CBLEP 2023 which are applicable to the subject proposal.

6.1 Part 2 Permitted or prohibited development

6.1.1 Zoning and permissibility

Zoning	R2 Low Density Residential
Existing Land Use:	Dual Occupancy (attached)
Permissibility:	The alterations and additions are ancillary to a permissive development and is permissible with consent.

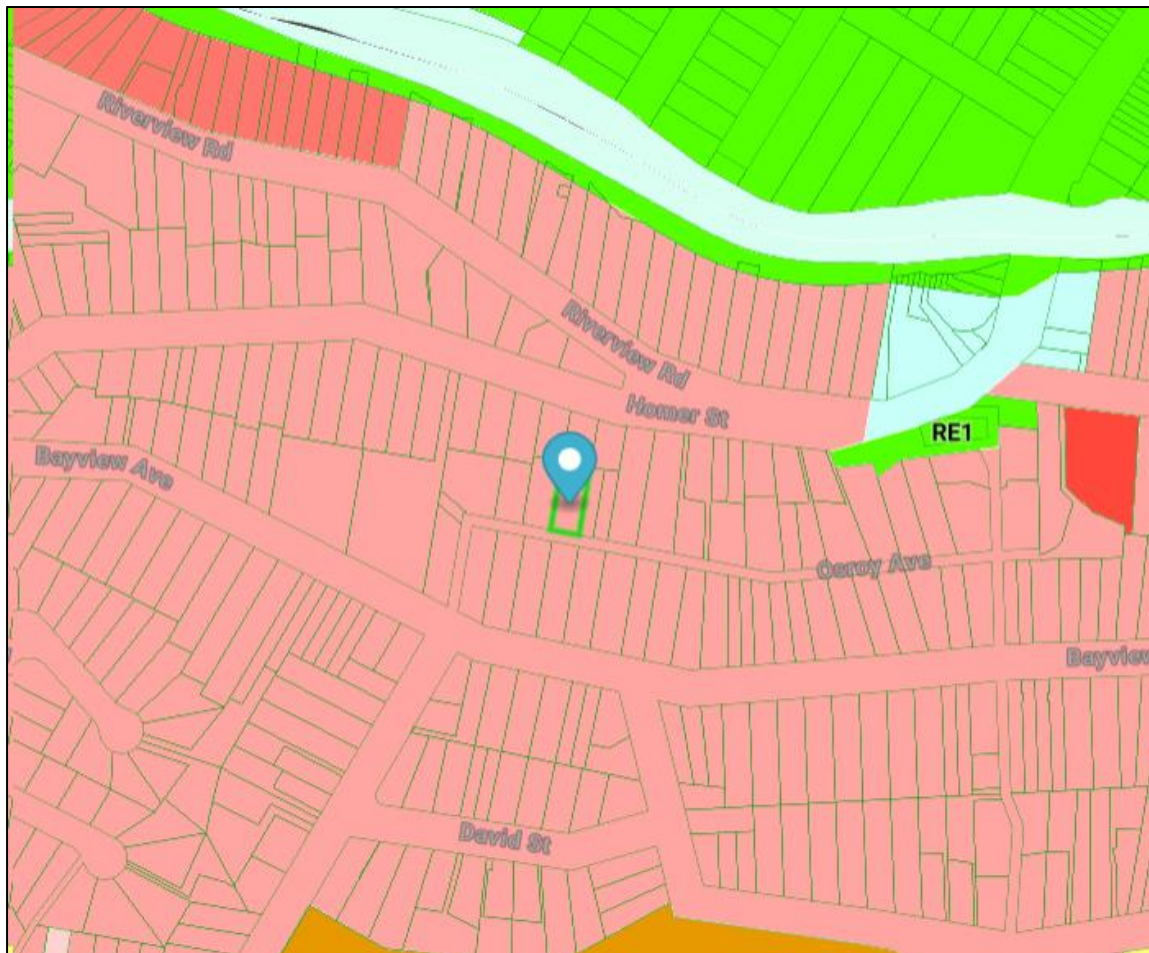


Figure 4: Land zoning demonstrating the site is located within an R2 Low Density Residential zone (Source: Mecone Mosaic).



6.1.2 Objectives of the zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.*
- *To ensure suitable landscaping in the low density residential environment.*
- *To minimise and manage traffic and parking impacts.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote a high standard of urban design and local amenity.*

The proposed alterations and additions which includes the provision of carports, side pathways, and first-floor balconies, align with the relevant objectives of the zone by enhancing the residential environment and addressing the housing needs of the community. The carports directly tackle the need to minimise the need for on-street car parking, within the low-density residential area.

The side pathways improve accessibility and connectivity for occupants which enhances the day-to-day needs of residents, and the balconies enhance the living environment by providing additional private open spaces that encourage interaction with the surroundings without compromising privacy or amenity.

6.2 Part 4 Principal development standards

6.2.1 Clause 4.3 – Height of Buildings

Pursuant to Clause 4.3(2), the maximum height of buildings is limited to a height limit of 8.5 metres. The proposed alterations and additions are designed to not exceed 8.5 metres and comply with the development standard.

6.2.2 Clause 4.4 – Floor Space Ratio

Pursuant to Clause 4.4(2B)(c), the maximum Floor Space Ratio of a dual occupancy is not to exceed a ratio of 0.50:1. The alterations and additions do not contribute to additional GFA of the dual occupancy and therefore does not alter the existing FSR of the building on site.

6.3 Part 5 Part 5 Miscellaneous provisions

There are no controls contained within Part 5 which are applicable to the proposed.



6.4 Part 6 Additional Local Provisions

6.4.1 Clause 6.1 – Acid Sulfate Soils

The site is categorised as Acid Sulfate Soils (Class 5), which pertains to areas within 500 metres of nearby Class 1, 2, 3, or 4 lands that are below 5 metres Australian Height Datum (AHD) and where the water table is likely to be lowered 1 metre AHD in proximity to Class 1, 2, 3, or 4 lands.

Clause 6.1 (5) mandates the preparation of an acid sulfate soils management plan following the Acid Sulfate Soils Manual for proposed works. However, since the works associated development does not involve works which will lower the water table below 1 metre AHD, a soil management plan is deemed unnecessary. The likelihood of the proposal causing disruption, exposure, or drainage of acid sulfate soils leading to environmental harm is unlikely.

6.4.2 Clause 6.2 - Earthworks

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposal involves limited levels of earthworks for to accommodate the hard paved areas for the hard stand driveway and side pathways. Other levels of earthworks are limited to the footings of the proposed carports.

The proposed extent of earthworks are minor and considered to not result in any detrimental impacts upon environmental functions and processes, neighbouring uses or features of surrounding land. The proposed does not adversely impact the amenity of adjoining properties and is considered to be consistent with the provisions of Clause 6.2(3).

6.5 Schedule 1 Additional Permitted Uses

There are no additional permitted uses associated with the subject site.

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7. ANY PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT - Section 4.15(1)(a)(ii)

There is no relevant draft EPI, Planning Proposal or Plan relevant to the proposed development.

8. DEVELOPMENT CONTROL PLAN - Section 4.15(1)(a)(iii)

8.1 Canterbury Bankstown Development Control Plan 2023 (CDCP 2023)

The proposed development is subject to the provisions of Canterbury Bankstown Development Control Plan 2023 (CDCP 2023). The following table below provides commentary of the developments performance against the relevant applicable controls contained within CBDCP 2023.

Where strict compliance has not been achieved, pursuant to Section 4.15(3A)(b) of the EP&A Act 1979, flexibility is sought from Council in determining whether a reasonable alternative solution that achieves the objects is provided by the proposed development. These matters are also discussed in the table below.

CBDCP 2023	Comment
Chapter 3 – General Requirements	
Parking	
Off-Street Parking Rates	
<u>Dual occupancies</u> 1 car space per 2 or less bedrooms; or 2 car spaces per 3 or more bedrooms	Each dwelling consists of four (4) bedrooms and provides for one (1) off-street parking per dwelling which was non-compliant with the off-street parking provisions of the DCP. The proposed erection of carports provides additional two (2) spaces for off-street car parking which exceeds the specified rate per the DCP.
Design and Layout	
Parking Location	The proposed carparking is accessed from Osroy Avenue, ensuring ease of entry and exit. These access points are located to minimise traffic disruptions and enhance safety. Specifically, the access arrangements are situated at a safe distance from intersections and signalised junctions, thereby reducing the risk of congestion and collisions. The access points are not located near crests or curves which can obstruct visibility and pose safety hazards. They are also not positioned opposite the parking entries of other high-traffic buildings, avoiding potential bottlenecks and ensuring a smoother flow of vehicles. Furthermore, the access locations offer adequate sight distance to the road and pedestrian pathways, thereby lowering the risk of accidents involving either vehicles or pedestrians.
Tandem parking for a maximum of two vehicles is permissible in dwelling houses, dual occupancies, attached dwellings, secondary dwellings, semi-	The carports result in a formalised tandem arrangement for two (2) vehicles, mirroring the existing configuration that permits a parking spot in the driveway in front of the existing garage. The addition of a third parking space may result in a



CBDCP 2023	Comment
detached dwellings, multi dwelling housing and multi dwelling housing (terraces) if the parking users reside in the same dwelling.	minor overlap with each garage, however will not obstruct complete access.
Minimum clearance height: 2.4 metres	The clearance height of each carport is 2.5 metres.
Chapter 5 Residential Accommodation	
5.2 Former Canterbury LGA	
Dual occupancies and semi-detached dwellings	
Attics and roof terraces	
Roof top terraces are not acceptable on any building or outbuilding in any residential zone.	The balconies are proposed over existing concrete roofs with privacy screens proposed along each edge to mitigate any visual privacy impacts. The alterations and additions do not result in the top most roof to be used as a trafficable terrace.
Cut and fill	
Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.	<p>The finished ground level of the excavation along the side boundaries to facilitate the pathways and stairs exceeds 1 metre below natural ground level. The non-compliance is a result of the sloping topography of the site which slopes from the front to the rear and the extent of the non-compliance is limited to the side boundaries.</p> <p>The depth of excavation is necessary to provide occupants with enhanced access from the front of the site to the rear allowing for a greater amenity outcome. Despite the non-compliance, the depth of excavation is not considered to result in adverse visual privacy or amenity impacts to adjoining properties nor will be result in adverse impact to the streetscape as the area of non-compliance as the depth of excavation will not be visually perceptible from the street.</p> <p>Therefore, the depth of excavation can be considered acceptable on merit.</p>
Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.	The height of fill associated with the pathways and steps does not exceed 600mm above the natural ground level.
If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.	This matter is subject to conditional requirements for structural design of retaining walls and certification.
Setbacks	
<i>Note: Table 8: Dual Occupancy and Semi-detached 12.5m or greater</i>	
Front Setback: 6 metres	The proposed front setback is 1.404 metres to 1.765 metres from the front boundary to the carports. Whilst not meeting the minimum requirement of 6 metres, it can be justified



CBDCP 2023	Comment
	<p>and deemed acceptable on merit based on several factors that align with the objectives of the control.</p> <p>While the proposal reduces the front setback, it does not compromise the character of the area. The character of Osroy Avenue is defined by a majority of car parking structures that are either abutting the front boundary or significantly encroaching upon the minimum required front setbacks. The proposed setback aligns with the existing streetscape, maintaining the existing spatial proportions of the street and defining the street edge in a manner consistent with the prevailing character along Osroy Avenue.</p> <p>The proposed carports are also visually permeable structures that limit the scale and bulk of development, ensuring it remains in harmony with the street's character. Design measures such as incorporation landscaped buffers, appropriate building materials, and architectural detailing mitigates potential impacts and enhance the aesthetic quality of the development.</p> <p>Given Osroy Avenue's narrow width and the limited availability of on-street parking, the provision of additional off-street parking within the site becomes a necessity. This provision of the carports ensures that the development contributes positively by reducing potential on-street parking congestion and confliction, thereby limiting the amenity impacts of new development on adjacent lands.</p> <p>Therefore, despite the non-compliance the proposed front setback, it is considered that the development maintains consistency with the existing character and the necessity due to limited parking achieves the objectives of the control and can be deemed acceptable on merit.</p>
<p><u>Side Setbacks:</u> 1.2 metres</p>	<p>The proposal provides for reduced side setbacks of 293mm to 300mm, as opposed to the minimum required 1.2 metres. Despite the non-compliance, the proposed side setbacks can be supported.</p> <p>The existing character along Osroy Avenue illustrates that tighter side setbacks are common, as Osroy Avenue is characterised by car parking structures that either abut side boundaries or significantly encroach upon the minimum required side setbacks which illustrates context-specific rationale for the encroachment. The proposed will maintain the continuity of the streetscape and architectural form, thereby aligning with Objective O1 to establish the desired spatial proportions of the street and define the street edge.</p> <p>The limited availability of on-street parking on Osroy Avenue, due to its narrow width, underscores the necessity</p>



CBDCP 2023	Comment
	<p>for additional off-street parking within the site. This addresses a practical need for residents, aligning with Objective O4 by potentially reducing the amenity impacts of new development specifically, the impact on parking availability within Osroy Avenue.</p> <p>Given the specific context of Osroy Avenue and the nature of the proposed, the encroachments will not significantly alter the scale, bulk or visual impact of development in a way that detracts from the streets character or residential amenity. This aligns with Objective O2, as the reduced setback is a tailored response to the unique conditions of the site and street, rather than a broad increase in the scale or bulk of development.</p> <p>Therefore, the non-compliance can be supported and considered acceptable based on justifications that align with the objectives of the control and therefore can be considered acceptable on merit.</p>
<u>Rear Setback</u> : 6 metres	The rear setbacks to the balconies are 11.301 metres – 11.606 metres.
Car parking structures must satisfy the Building Code of Australia requirements.	Carports are designed to meeting the BCA requirements. This matter should be further extrapolated as conditional requirements.
For existing dwellings one single space carport may encroach beyond the minimum front setback, where it can be demonstrated that vehicular access cannot be provided behind the building line given that side driveway access is less than 2.7m. Carports must not be wider than 3m.	<p>Each dwelling consists of four (4) bedrooms and originally provided one (1) off-street parking space per dwelling, falling short of the off-street parking requirements outlined in the DCP. The introduction of carports, offers two (2) additional off-street parking spaces which not only meets but surpasses the DCP's specified parking rates. This is essential as there is a scarcity of on-street parking availability, as consequence of Osroy Avenue's limited width.</p> <p>Although the carports extend over 3 meters in width, their design is visually permeable which does not excessively result in an unacceptable bulk or scale. Osroy Avenue is also captured by the prevalence of parking structures that either which exceed 3 metres in width and the carport's are designed in harmony with the existing streetscape, upholding the established spatial dimensions of the street and defines Osroy Avenue's existing character.</p> <p>Therefore, despite the non-compliance, the proposed carports remain consistent with the relevant objectives of the control, are sympathetic with the existing character and is acceptable on merit.</p>
Visual privacy	
Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.	Privacy screens provided along each edge of the balconies as a mitigate for visual privacy.



9. PLANNING AGREEMENTS - Section 4.15(1)(a)(iia)

There is no planning agreement being entered into as part of this application.

10. ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS 2021 – Section 4.15(iv)

The Regulation underpins the day-to-day operation of the NSW planning system. The Regulation guides the processes, plans, public consultation, impact assessment and decisions made by local councils, the Department of Planning, Industry and Environment and others. The Regulation provides standard and relevant Conditions (i.e Compliance with the BCA/NCC, Australian Standards, Section 7.11/7.12 Contributions etc...) which the Consent Authority must impose when issuing Development Consent. These Conditions will be implemented upon the issue of Development Consent.

11. ANY LIKELY NATURAL OR BUILT ENVIRONMENT IMPACT OR SOCIAL AND ECONOMIC IMPACT – Section 4.15(b)

11.1 Natural Environment

The proposed development is located in a well-established residential environment on an allotment with appropriate zoning for the proposed development. The proposed alterations and additions are designed to operate at a domestic scale which does not result in unreasonable acoustic or air pollution. The design, location and siting of the alterations and additions are orientated to maximise solar access and includes sustainable measures for water and energy consumption. Overall, the proposal is designed to mitigate any potential impacts on the natural environment.

11.2 Built Environment

The proposed development is predominantly designed to be compatible with the existing streetscape patterns and achieves the desired future character of the area. Where the development has not demonstrated compliance with those controls, the relevant objectives are achieved, and impact is mitigated and minimised where practical. Overall, as demonstrated in this statement, it is unlikely that the development will consist of an adverse impact on the built environment.

11.3 Social Impact

There are no adverse social impacts identified with the alterations and additions of the attached dual occupancy within an R2 Low Density Residential Zone.

11.4 Economic Impact

No adverse negative economic impacts are likely to result from the development. The development is likely to contribute to a range of economic benefits such as generation of local jobs, utilise existing infrastructure and services and encourage the use of local business and local economy.



12. SITE SUITABILITY - Section 4.15(c)

The development is not considered to result in adverse material, environmental, social or economic impacts. Therefore, it is considered that the development is suitable for the site.

13. SUBMISSIONS - Section 4.15(d)

Any submissions received as a result on notification of the Development Application will be considered.

14. PUBLIC INTEREST - Section 4.15(e)

The public interest is best serviced by the consistent application of the relevant statutory requirements which ensures the consent authority that any adverse effects arising from development are minimised. Having regard to the proposed developments performance against the applicable statutory provisions and policies, the proposal is not considered to raise any issues that would be contrary to the public interest.

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15. INTEGRATED DEVELOPMENT - Section 4.46 and 4.47(2)

Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more approvals. The following table below provides detail of other required approvals and if the development is subject of any of those approvals.

Act	Provision	Approval	Required
Coal Mine Subsidence Compensation Act 2017	Section 22	Approval to alter or erect improvements, or to subdivide land, within a mine subsidence district	No
Fisheries Management Act 1994	Section 144	Aquaculture permit	No
	Section 201	Permit to carry out dredging or reclamation work	No
	Section 205	Permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease	No
	Section 219	permit to— (a) set a net, netting or other material, or (b) construct or alter a dam, floodgate, causeway or weir, or (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat	No
Heritage Act 1977	Section 58	Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57(1)	No
Mining Act 1992	Sections 65 and 64	Grant of mining lease	No
National Parks and Wildlife Act 1974	Section 90	Grant of Aboriginal heritage impact permit	No
Petroleum (Onshore) Act 1991	Section 16	Grant of production lease	No
Protection of the Environment Operations Act 1997	Sections 43(a), 47 and 55	Environment protection licence to authorise carrying out of scheduled development work at any premises.	No
	Sections 43(b), 48 and 55	Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a “waste activity” but including any activity described as a “waste facility”).	No
	Sections 43(d), 55 and 122	Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.	No



Roads Act 1993	Section 138	Consent to— (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or (e) connect a road (whether public or private) to a classified road.	No
Rural Fires Act 1997	Section 100B	Authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes	No
Water Management Act 2000	Sections 89, 90 and 91	Water use approval, water management work approval or activity approval under Part 3 of Chapter 3	No

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16. CONCLUSION

After consideration of the development against Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the pertinent statutory provisions, the proposed development is considered to be reasonable and appropriate for the site and within its specific context.

The subject site is appropriately zoned for the development and the development is considered to satisfy the relevant built form development standards, controls and associated objectives. The development neither is considered to result in adverse material, environmental, social or economic impacts.

On balance, the proposal is considered suitable for the site and not contrary to the public interest and therefore, it is recommended that Council as the consent authority pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent for the alterations and additions to a dual occupancy (attached) on land at 58 Osroy Avenue, Earlwood.

Statement prepared by Polaris Planning and Development.

